

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

FLOCKHART et al.

Serial No.: 10/673,118

Filed: September 26, 2003

Atty. File No.: 4366-106

For: "METHOD AND APPARATUS FOR
LOAD BALANCING WORK ON A NETWORK
OF SERVERS BASED ON THE PROBABILITY
OF BEING SERVICE WITHIN A SERVICE
TIME GOAL"

) Group Art Unit: 3676
)
)
) Examiner: WAI, ERIC CHARLES
)
) Confirmation No.: 9237
)

NOTICE OF APPEAL

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING TRANSMITTED VIA THE OFFICE ELECTRONIC
FILING SYSTEM IN ACCORDANCE WITH 37 CFR
§1.6(a)(4) ON

July 29, 2008

SHERIDAN ROSS P.C.

BY:

Kevin M. Frankel

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Examiner mailed April 29, 2008 finally rejecting Claims 1-3, 6-14, 16-26 and 28-34. A Notice of Appeal together with the associated fee was previously submitted on January 18, 2008. Accordingly, Applicants believe that no fees are due for the filing of the present Notice of Appeal. If this is incorrect, please charge any fees deemed necessary to Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

Bradley M. Knepper

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Date:

July 29, 2008